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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA,)

9 Plaintiff,)

10 v.)

2:13-CR-438-LDG-(PAL)

11 HENRY GENARO MACIAS,)

12 Defendant.)

13 PRELIMINARY ORDER OF FORFEITURE

14 This Court finds that on June 23, 2014, defendant HENRY GENARO MACIAS pled guilty to
15 Count Two of a Four-Count Criminal Indictment charging him with Receipt of Child Pornography in
16 violation of Title 18, United States Code, Section 2252A(a)(2). Indictment, ECF No. 1; Change of
17 Plea, ECF No. 23; Plea Agreement, ECF No. 24.

18 This Court finds defendant HENRY GENARO MACIAS agreed to the forfeiture of the
19 property set forth in the Plea Agreement and the Forfeiture Allegations of the Criminal Indictment.
20 Indictment, ECF No. 1; Change of Plea, ECF No. 23; Plea Agreement, ECF No. 24

21 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America
22 has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture
23 Allegations of the Criminal Indictment and the offense to which defendant HENRY GENARO
24 MACIAS pled guilty.

25 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section
26 2253(a)(1), (a)(2), and (a)(3):

- 1 1. A Sony laptop SN C6020551;
- 2 2. A Sony laptop SN C300PE4Y;
- 3 3. A Western Digital hard drive SN WXN209SA6421;
- 4 4. Numerous CDs;
- 5 5. an HTC Droid cell phone; and
- 6 6. any visual depiction or any book, magazine, periodical, film, videotape, or other
- 7 matter which contains any such visual depiction, which was produced, transported,
- 8 mailed, shipped, or received in violation of Title 18, United States Code, Sections
- 9 2251 and 2252A

10 (all of which constitutes "property").

11 This Court finds the United States of America is now entitled to, and should, reduce the
12 aforementioned property to the possession of the United States of America.

13 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
14 United States of America should seize the aforementioned property.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
16 HENRY GENARO MACIAS in the aforementioned property is forfeited and is vested in the United
17 States of America and shall be safely held by the United States of America until further order of the
18 Court.

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
20 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
21 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the
22 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the
23 name and contact information for the government attorney to be served with the petition, pursuant to
24 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity
26 who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate

1 the validity of the petitioner's alleged interest in the property, which petition shall be signed by the
2 petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and
3 Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner's
4 right, title, or interest in the forfeited property and any additional facts supporting the petitioner's
5 petition and the relief sought.

6 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
7 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no later than
8 thirty (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days
9 after the first day of the publication on the official internet government forfeiture site,
10 www.forfeiture.gov.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
12 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
13 following address at the time of filing:

14 Michael A. Humphreys
15 Assistant United States Attorney
16 Daniel D. Hollingsworth
17 Assistant United States Attorney
18 Lloyd D. George United States Courthouse
19 333 Las Vegas Boulevard South, Suite 5000
20 Las Vegas, Nevada 89101.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
22 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
23 following publication of notice of seizure and intent to administratively forfeit the above-described
24 property.

25 DATED this 23rd day of June, 2014.

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UNITED STATES DISTRICT JUDGE